

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

:

CAPITALIA ASSET MANAGEMENT SGR S.p.A. : No. 07 Civ. 5742 (RJH)
and CAPITALIA INVESTMENT MANAGEMENT :
S.A., :
: Plaintiffs, :
: :
- against - :
: :
VIVENDI, S.A., JEAN-MARIE MESSIER :
and GUILLAUME HANNEZO, :
: Defendants. :
: :
-----X

NOTICE OF APPEARANCE

Please enter the appearance of David J. Goldsmith, a member of the bar of this Court, as counsel for Plaintiffs Capitalia Asset Management SGR S.p.A. and Capitalia Investment Management S.A. in the above-captioned action.

Dated: New York, New York
September 28, 2007

Respectfully submitted,

LABATON SUCHAROW LLP

By: /s/ Russel N. Jacobson
Russel N. Jacobson (RJ-2268)
David J. Goldsmith (DG-7388)
140 Broadway
New York, New York 10005
Telephone: 212-907-0700
Facsimile: 212-818-0477

Attorneys for Plaintiffs Capitalia Asset Management SGR S.p.A. and Capitalia Investment Management S.A.

Certificate of Service

I hereby certify that on September 28, 2007, I caused the foregoing Notice of Appearance to be electronically filed with the Clerk of the Court through the Court's CM/ECF system, which will send notification of such public filing to all counsel registered to receive such notice, and to be sent by U.S. mail, first class postage prepaid, to the following counsel:

Michael T. Reynolds
Cravath, Swaine & Moore LLP
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019

Michael J. Malone
King & Spalding LLP
1185 Avenue of the Americas
New York, NY 10036

Michael E. Swartz, Esq.
Schulte Roth & Zabel LLP
919 Third Avenue
New York, NY 10022

/s/ David J. Goldsmith
David J. Goldsmith (DG-7388)